

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DAVID MICHAEL JURICH,

2:13-cv-01002-JE

Petitioner,

ORDER

v.

JERI TAYLOR, Superintendent of
Two Rivers Correctional Institute;
and COLLETTE PETERS, Director of
Oregon Department of Corrections,

Respondents.

BROWN, Judge.

Magistrate Judge John Jelderks issued Findings and Recommendation (#53) on August 6, 2015, in which he recommends this Court deny Petitioner's Petition (#3) for Writ of Habeas Corpus, enter judgment dismissing this matter with prejudice, and decline to issue a certificate of appealability pursuant to 28 U.S.C. § 2253(c)(2) on the basis that Petitioner has not made a substantial showing that he was denied a constitutional right.

The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. See *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009). See also *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Jelderks's Findings and Recommendation (#53). Accordingly, the Court **DENIES** Petitioner's Petition (#3) for Writ of Habeas Corpus, **DISMISSES** this matter **with prejudice**, and **DECLINES** to issue a certificate of appealability pursuant to 28 U.S.C. § 2253(c)(2).

IT IS SO ORDERED.

DATED this 28th day of September, 2015.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge